

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-24 and 27-51 are pending in this application. By this amendment, Claims 1-24 and 27 are amended; Claims 25 and 26 are canceled; and Claims 28-51 are added. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1-27 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 1, 2, 5-12, 20 and 22-27 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,454,675 to Asayama.

With respect to the rejection of the claims under 35 U.S.C. § 112, second paragraph, Claims 1-24 and 27 are amended by the present amendment. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 112, second paragraph, is respectfully requested.

With respect to the rejection of the claims under 35 U.S.C. § 102, that rejection is respectfully traversed. In particular, independent Claims 1 and 20 similarly recite in part, a pressure lowering means for lowering said pressure by a preset value, and a pressure setting means for setting the pressure to a value obtained by adding a pressure corresponding to the road surface input with a lowered minimum value of said pressure, in the case when the slip between said transmission members is not detected.

Accordingly, as set forth in the independent claims, the pressure is set to a pressure in which a pressure corresponding to the road surface input is added to the lowered minimum value of the pressure. As such, the lowered minimum value of the pressure is adopted instead of a slip limit pressure, and the road surface input is added thereto. For this reason, even in case the slip is not detected in spite of lowering the pressure, the pressure setting a transmission torque capacity can be lowered relatively by utilizing the pressure value obtained in the course of detecting a slip by lowering the pressure.

In contrast, the objective of Asayama is to prevent a rotary element of the CVT from slipping, see column 2, lines 9-13. In this regard, Asayama teaches that the engine torque is suppressed by retarding the ignition timing or the like in order to prevent the belt slip when the condition of the CVT 4 is a condition that there is the shortage of the clamping force, which is applied to the belt 8 according to the line pressure control. Accordingly, Asayama fails to disclose or suggest the technical solution of the claims, i.e., the control of the case when the slip is not detected. Such advantages of one or more embodiments of the present invention cannot be achieved by the teachings of Asayama.

For example, one objective of the present invention is to provide a control system for a power transmission mechanism in which a transmission torque capacity between transmission members is set on the basis of a slip condition there between. The slip condition is characterized by a control of the case in which the slip between the transmission members is not detected in spite of lowering the pressure to a predetermined pressure, for the purpose of determining a lowest possible pressure within the range where the slip will not occur between the transmission members. Even if the pressure is lowered, there is a case in which the slip between the transmission members is not detected if the lowering amount is relatively small or the lowering of the pressure is restricted. However, the pressure during the lowering process can be detected. Therefore, according to one or more embodiments of the present invention, the lowered minimum value of the pressure obtained in the course of lowering the pressure is utilized in case the slip is not detected, in order to lower the pressure setting a transmission torque capacity within the range where an excessive slip will not occur between the transmission members. For this reason, according to the features of the claimed invention, the pressure can be lowered within the range where a slip is not caused by the road surface input when the vehicle is running, even in case the slip is not detected in spite of

lowering the pressure to cause a slippage between the transmission members. Please see the disclosure at least at the last paragraph of page 23 of the present specification.

Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 102(b) is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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